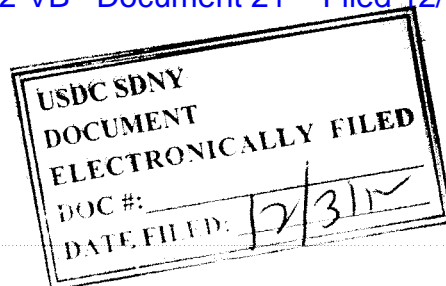




ALICARE, INC.
Third Party Administrators

An Affiliate of Amalgamated Life



MEMO ENDORSED
David C. Sapp, Esq.
Associate Counsel and
Director of Litigation

November 29, 2012

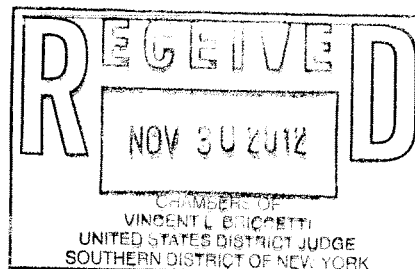
VIA FACSIMILE (914) 390-4170

Honorable Vincent L. Briccetti
United States District Judge
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

331 Westchester Avenue
North Building - Second Floor
White Plains, New York 10604

P: 914-367-5576
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Re: Trustees of the National Retirement Fund --v.- Ball Park Lanes, Inc.
(11-CV-00422 (VLB))

Dear Judge Briccetti:

We represent the Trustees of the National Retirement Fund ("the Fund"), plaintiffs in the above-referenced action to collect withdrawal liability from defendant Ball Park Lanes, Inc. under Title IV of ERISA. For the following reasons, and joined by Evangelos Michailidis, Esq., defendant's counsel, we are writing to respectfully request that the Court adjourn the deadline for plaintiffs filing of an amended complaint to and including January 31, 2013.

As the parties previously advised the Court, the parties have cooperated in discovery and are pursuing discussions to resolve the claims in the action and claims which would be asserted in the amended complaint concerning certain transactions having a primary purpose to evade or avoid the employer's withdrawal liability within the meaning of Section 4212(c) of ERISA, and violations of applicable state law fraudulent transfer provisions. The parties' discussions have been ongoing and the parties are exploring various proposals with the goal of a settlement of the claims in the case thereby avoiding the need for the amended complaint and further litigation.

Due to defendant's principals spending much of the near term out of the country and the need for the Trustees to consider the settlement proposals, the parties jointly respectfully request that the deadline for amendment of the complaint be adjourned to and including January 31, 2013.

In the interests of the parties further pursuing settlement discussions, the parties jointly request that the deadline for plaintiffs filing of an amended complaint be adjourned to and including January 31, 2013.

APPLICATION GRANTED

SO ORDERED

VINCENT L. BRICCETTI

U.S.D.J.

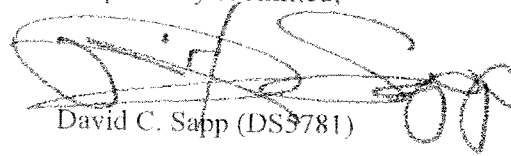
This is the 5th extension. If the amended complaint is not filed by 1/31/13, this case will be dismissed without prejudice for failure to prosecute.

Honorable Vincent L. Briccetti
November 29, 2012
Page 2

Mr. Michailidis has advised the undersigned that defendant joins in the instant application for the adjournment of the deadline for plaintiffs to file their amended complaint.

The Court's considerations are greatly appreciated.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'D. C. Sapp', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

David C. Sapp (DS9781)

cc(via e-mail): Evangelos Michailidis, Esq.